

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 829 of 2007
in
First Appeal No.1279 of 2003
with
Civil Application No.3344 of 2003

1. Shri Arun Sakharam Pingale
and another ..Petitioners

Vs.

Dr.Sohanlal Ambalal Johari ..Respondent

Shri K.Y.Mandalik for petitioners.
Srhi R.D.Soni i/b Ram and Co. for respondent.

**CORAM: S.B.MHASE &
Smt.NISHITA MAHTRE JJ.
7th February, 2007**

P.C.

1. Heard.

2. This is an application for restoration of First Appeal No.1279 of 2003 which was dismissed for non prosecution on 25th November, 2005. We are inclined to allow this application for the reasons stated in the application and, therefore, Civil Application is disposed of in terms of prayer clauses (a) and (b).

3. Civil Application No.3344 of 2003 is not on board but mentioned by the learned Counsel.

We clarify that the said civil application is already disposed of in view of the order dated 10th October, 2003. We also clarify that since the appeal is restored both the parties are directed to maintain statusquo in terms of order dated 10th October, 2003 passed in Civil Application No.3344 of 2003.

(Smt.NISHITA MHATRE J.)

(S.B.MHASE J.)